



Federal Records Center—Philadelphia

5000 Wissabickon Avenue Philadelphia, Pennsylvania 19144

Date : March 23, 1995
Reply to :
Attn of : Director - David S. Weber
Subject : Letter of Instruction to Cease Posting and Distributing
Information
To : Darryl Murray

During the past several weeks you have displayed in our break room posters, signs, flyers, newspaper clippings and other forms of information relating to the beliefs of the Nation of Islam. These have contained statements regarding racial, political, and religious matters. We have discussed this issue a number of times and I have requested that you desist from displaying such information. You have continued to do so and I have continued to receive complaints from other Federal employees and members of the public who have had reason to pass our break room.

It is inappropriate to display information of any sort regarding religious or political beliefs anywhere in our workplace. Our space cannot be used as a public bulletin board, and no documents should be posted without prior management approval. Please remove all the material you have posted, anywhere in the Federal Record Center by close of business March 24. You are further directed to immediately stop from distributing or posting any materials in the workplace. Your failure to comply will be the basis for charging you with insubordination and taking disciplinary action, which could include your removal from Federal service.

Please see me if you do not understand this letter, what is expected of you, or the possible consequences of failing to follow these instructions.

Gloria A. Grouzos
GLORIA A. GROUZOS
Chief, Service Branch

EXHIBIT

MURRAY-1
11-20-06

MAR 13 1996

Mr. Darryl Murray
Federal Records Center
14700 Townsend Road
Philadelphia, PA 19144

Dear Mr. Murray:

This is notice that, to promote the efficiency of the Service, I propose to suspend you for a period of 14 calendar days from your position of Archives Aid, GS-1421-2, no later than 15 calendar days from your receipt of this letter for insubordination and unauthorized absence. The reasons supporting this proposal are as follows:

INSTANCE OF MISCONDUCT: Insubordination

On January 31, 1996, David S. Weber, Director, Federal Records Center, received a telephone call from Gerald Schweiker, Director of Personnel for the Veterans Administration Regional Office (VARO) at 5000 Wissahickon Avenue. Mr. Schweiker reported that he had in his possession photocopied and highlighted pages of The Final Call, a Nation of Islam publication, which had been left in the VARO breakroom. These appeared similar to material which you had left at various places in the Wissachickon Avenue Federal Building on previous occasions.

I issued you a counseling letter on March 23, 1995, in which you were told that it is inappropriate to display information of any sort regarding religious or political beliefs anywhere in the workplace. You were further directed to "immediately stop from distributing ... any materials in the workplace." You were further warned that your failure to comply would be the basis for charging you with insubordination and that you would be subject to disciplinary action. Mr. Weber also orally counseled you concerning these matters, most recently in September 1995.

When Mr. Weber questioned you about the incident he learned about on January 31, you admitted that the material was left by you. However, you said that you left the material for a fellow Nation of Islam member from the VARO and that you were not proselytizing. I do not find this assertion to be credible. By leaving this material in the breakroom, you made it available to VARO employees who use the breakroom -- some of whom had previously

EXHIBIT

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11-20-05 R17

complained about and were offended by this material. The March 23, 1995, counseling letter clearly directed you to cease distributing material concerning racial, political and religious matters. You failed to follow this directive. Therefore, you are charged with insubordination for failure to comply with the counseling letter of March 23, 1995.

INSTANCE OF MISCONDUCT: Unauthorized Absence

You were required to report for work for a one-week period at our Townsend facility beginning February 6, 1996, and ending February 13, 1996. You failed to do so, nor did you contact your supervisor to explain your absence. You were charged with unauthorized absence on February 6, 7, 8, 9, 12 and 13, 1996.

When you failed to report to work as described above, I wrote to you on February 16, 1996, giving you a written directive to report for duty beginning on February 22, 1996, and ending on March 6, 1996. You did not report to work on February 22, 1996, or February 27, 1996. You are charged with unauthorized absence on February 22, 1996, and February 27, 1996.

Moreover, this is not your first instance of misconduct. You were suspended for 7 days on August 30, 1993, for climbing/standing on shelving units. Further, you were issued a reprimand on August 30, 1993, for climbing/standing on shelving units.

A continuation of such misconduct will not be tolerated because it adversely affects the efficiency of the Federal service.

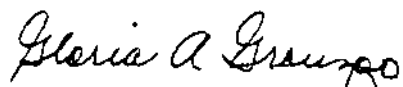
Within 10 calendar days of your receipt of this notice, you may reply in writing, in person or both to Daniel W. Bennett, Assistant Director, Federal Records Center -- Philadelphia (telephone 215-671-1242) setting forth any pertinent facts, extenuating circumstances, or other information you desire to submit. You may also submit affidavits in support of your reply and may be represented by an attorney or other representative. You will be allowed a reasonable amount of official time, if otherwise in a duty status, to prepare your reply, to secure affidavits or other documents. The documents on file supporting this proposal are attached. You should contact me to arrange for the use of official time.

If you do not understand your rights concerning this proposed suspension, you may contact Carol Wehrkamp, Human Resources Services Division, on 301-713-6760.

Your reply will be given full consideration before a final decision is issued. If you

are suspended, a written decision notifying you will be issued before the suspension takes effect.

Sincerely,

A handwritten signature in cursive script, reading "Gloria A. Grouzos".

GLORIA A. GROUZOS
Chief, Service Branch

Attachments

cc: Official: ADM-HRSL /

Reading: ADM-HRSL

Info copies: ADM-HRSL(SL), ADM-SEC, 3NC,

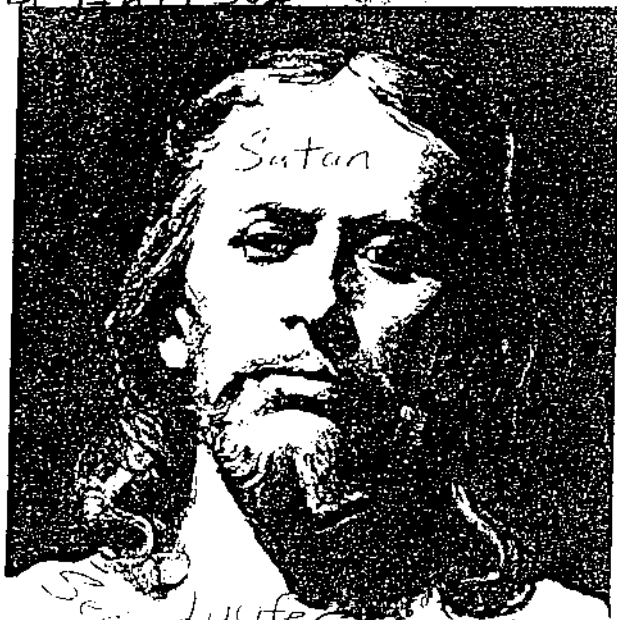
JJANSHEGO, jmj, 3/1/96

DOC:j:\murray.ps

file code: 329

NOTICE
THEM"

1. Complexion
2. Broad Nose
3. Kinky Whorly Hair
4. Brown Eyes
TINTED GLASSES TO
PROTECT EYES FROM
BRIGHT DAYLIGHT
5. Poor Posture
6. Cranial Size (cm.)
7. I.Q.
8. Criminal Record
BIG THUMBS FOR
TURNING PAGES
9. Anti Social Behavior



Serpent Lucifer
The Devil
Seed
A Man
The Existence

SMALL BEADY EYES
FROM WORKING LONG
HOURS IN POORLY
LIT AREAS

10. Sex Addicts
11. Wife Beaters
12. Slaves
13. Captives
14. P.O.W.s
15. Prisoners LONG ARM REACHING TOP SHELF
16. Hostages
17. Subjugates
- Basketball Players
18. Oppressed
19. Exploited
20. Outcast

HOLLINGER
STORING DUSTY
DOCUMENTS
RARELY SEE
LIGHT OF DAY

Tap Dancers

EXHIBIT

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11-20-06 JH

MEMORANDUM OF AGREEMENT

On March 13, 1996, Mr. Darryl Murray was issued a notice of proposed 14-day suspension from the position of Archives Aid, GS-1421-2, for insubordination and unauthorized absence.

Mr. David S. Weber, Director, Philadelphia Federal Records Center, has considered Mr. Murray's oral and written responses, given on March 29, 1996. Mr. Weber, the Deciding Official, has determined that the 14-day suspension is for the efficiency of the service and should be effected. However, this suspension will be held in abeyance for one year from the date of this agreement, subject to the following:

- (1) Execution of this Memorandum of Agreement, and
- (2) Compliance with each of the provisions outlined herein.

A. By signing below, Darryl Murray and the National Archives and Records Administration (NARA), freely and voluntarily enter into this Agreement.

B. Darryl Murray agrees to follow all of the work rules and procedures that his supervisors establish.

C. Darryl Murray agrees that he will not post or distribute any materials in the workplace, including any work spaces which may belong to or are shared with other organizations. Darryl Murray understands that this means he may not distribute any materials in the workplace even during lunch periods, breaks, or before or after working hours.

D. Darryl Murray agrees to follow proper procedures to request approval of his absences from his supervisors. Darryl Murray understands that failure to follow proper procedures to request leave may result in being charged as absent without leave (AWOL), which is an unauthorized absence. Unauthorized absence may serve as the basis for disciplinary action, up to and including removal. Darryl Murray understands that requests for leave are to be made in advance of the absence, normally at least one day prior to the absence, except in the case of an emergency or illness. In the case of emergency or illness, leave should be requested within two hours after his scheduled arrival time.

E. NARA agrees that if Darryl Murray complies with the provisions of this agreement for one year from the date of this agreement, NARA will cancel its decision to effect a 14-day suspension after the one year is completed.

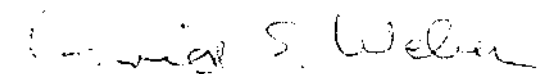
F. Darryl Murray understands that if he does not follow the terms of this agreement, NARA will effect the 14-day suspension.

G. Darryl Murray understands that if there is future misconduct on his part, NARA

EXHIBIT

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11-20-06 E.H.

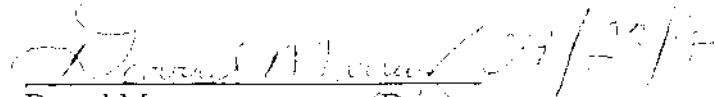
will effect the suspension, and NARA will initiate disciplinary action up to and including removal.



David S. Weber (Date)

Director, FRC, Philadelphia

NARA



Darryl Murray (Date)

From: Darryl Murray - Employee

Date: Nov. 20, 2000

Subject: Imminent Violence In The Workplace

Background Info:

Recent intelligence reports have revealed that the FRC clique, - Mitchell Buffone, Heather Dawson, Hercules Robinson, and Pat Davis have declared war on myself and my intelligence agents. Today, I spoke to senior members of the clique and encountered extremely hostile reactions. The clique feels that I represent a clear and present threat to their authority and power. They will leave no stone unturned in having me removed from federal service.

The clique is currently trying to provoke me into committing an act of violence against one of its members. They know the violence I am capable of, and hope that they can use it against me.

I strongly recommend that the clique be counseled before I decide to take retaliatory measures. This situation requires your immediate attention.

Murray - 6
11-20-06 KIT

October 26, 2001

From: John McGee

To: Darryl Murray

Subj: In-house Counseling Letter

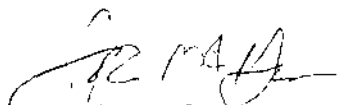
It was reported to me by Mr. David Roland, Records Center Operations Director, that he found a box of SSA files in the mailroom, staged for shipping with what he believed were offensive, objectionable and unprofessional writings or graffiti. The graffiti was written in red magic marker.

In addition, he was contacted by one of our customers, the Social Security Administration, in Wilkes Barre, Pa. They informed him that included in one of our daily shipments to them were two boxes that contained similar writings. The writings, also conducted in red magic marker (pictures enclosed), appeared to have arabic, islamic or middle eastern slogans. The SSA felt, in light of recent events in our country, this incident needed to be reported to the authorities. In this case, the Federal Protective Service (FPS).

The FPS, in turn, contacted Mr. Roland and lodged a formal complaint. Pictures of the boxes were sent electronically to Mr. Roland by an investigator from the FPS. After reviewing the pictures and reflecting on past history, we concluded that you may have conducted these writings. I informed you verbally of the situation and showed you the pictures of the two boxes that were in the shipment. You concurred that you were the culprit but thought them as harmless writings and that the graffiti was never intended to leave the building and could not understand the problem.

However, in addition to unprofessional conduct, the incident was offensive to NARA and agency personnel and also created a disturbance. In addition, there was a clear neglect of duty and improper use of government supplies and materials. All of these offenses are in violation of penalties listed in Personnel 300, appendix 752A, Penalty Guide.

Consider this a formal in-house counseling letter that will be put in your folder. Also be advised that any future incidents of this nature will be taken to the next level of disciplinary action.



John McGee
Supervisory Archives Specialist.

NOTE: EMPLOYEE READ AND UNDERSTOOD. 11/6/01 RE THEREAFTER
HOWEVER REFUSED TO SIGN.

Memo:

To: Elizabeth Washington - Supervisor
Office Of Regional Records Services
Mid-Atlantic Region
Philadelphia, Northeast Facility

From: Darryl Murray - Employee

Date: April 25, 2003

Subject: Response To Today's Meeting

On March 23, 2003 management transferred me from the general records section to the Trust Fund (TEECs) section. Since that time my monthly (PE) score has dropped from PE=94 Fully successful to PE=80 minimally successful.

Approximately two weeks ago I informed you of a medical condition I suffered from which I believed to be the cause of the drop in my (PE) score. David Roland, Regional Director, to the best of my knowledge, wanted me to submit up to date documentation indicating my current medical status. I compiled and submitted documentation on April 24, 2003.

You further informed me during our meeting that 8 FFLX request scanned to me two weeks ago were just recently discovered unaccounted for. I have no explanation for how this could go unnoticed for

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4-20-06 RH

two weeks by staff trained to track the TERC files whereabouts at all time.

Later in the day, I was notified that 2 of the missing 8 FFLX requests were accounted for and the remaining 6 were being investigated. Earlier in the week TERC staff informed me that they were looking for 2 files that were scanned to me. I subsequently discovered that the 2 files were serviced by another employee. This employee had somehow received FFLX request that were scanned in the computer to my name.

These types of mistake can easily cost an employee his job. There are some glitches in the system that need to be fixed before employees are accused of losing files they never had any contact with.

It is unclear at this time if your decision to recommend that I be placed in the PIP program, which targets employees for termination, is for low (PE) scores or allegedly mislating files or both. If it is determined that I am also not responsible for the remaining 6 missing files, ~~I expect a written explanation of the outcome of your investigation.~~ I hope to be exonerated as soon as possible.

New paragraph #1
Hopefully next week Mr. Kolonel will determine the best course of action

regarding my low (PE) scores and documented medical condition. Before I subject myself to the PIP program after 16 years of employment at NARA, I will enter a 2nd request to return to the general records section where I was quarterly rated fully successful.

I hope something can be worked out enabling me to remain in the Trust Fund Section without the stress of meeting the current quotas. As a last resort I will seek a solution through our agency's alternative dispute resolution program.

Thank you for your assistance in this matter.

Information I Need For My Investigation

1. Who scanned the request to me?
2. Date request were scanned to me?
3. Date I serviced request?
4. Number of request serviced on Task Sheet?
5. Were there any left over request given to another employee scanned under my name?
6. When should this problem have been discovered?
7. Who should have discovered this problem sooner?
8. Should the person who scans the files after I pull them have spotted this problem?

MEMO

To: David Roland, Assistant Regional Administrator
From: Darryl Murray
Date: May 12, 2003
Subject: Response From Personnel Concerning Reasonable Accommodation Request

I am due for an annual appraisal in July, 2003. I urgently need information from Personnel and your office regarding my reassignment to the General Records sections.

My current annual PE is 88, minimally successful. I need to be reassigned, as soon as possible, to receive a wage grade increase.

It has been two years since I was eligible for a WGI. I need to be reassigned today, if it is possible.

Darryl Murray

5/12/03

Darryl:

My Decision is attached. Please feel free to discuss with me some time tomorrow (5/13).

Sincerely,

David Roland

EXHIBIT

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11-20-06 KH

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
PERFORMANCE MANAGEMENT SYSTEM — PERFORMANCE APPRAISAL
 (General Schedule and Prevailing Rate employees)

NAME DARRYL MURRAY	SSAN 171-56-5399
TITLE, SERIES AND GRADE ARCHIVES AID GS-1421 03/04	OFFICE NRBPT

TYPE OF RATING:

Interim rating because of:

☒ Annual
☐ Interim

☐ Reassignment
☐ Detail

☐ Change in plan
☐ Change in rater
☐ Other _____
ANNUAL RATING PERIOD

7/05/00 to 6/30/01

INTERIM RATING PERIOD (if applicable)

to

SUMMARY PERFORMANCE RATING
☐ Outstanding
☐ Highly Successful
☒ Fully Successful
☐ Minimally Satisfactory
☐ Unacceptable
PERFORMANCE AWARD RECOMMENDATION:

Amount \$ _____

WGI DETERMINATION:
 WGI will be granted ☒
 WGI will be denied ☐
QSI RECOMMENDATION: ☐ Yes ☐ No**RATING OFFICIAL COMMENTS (Optional):**

Signature

Date

REVIEWING OFFICIAL APPROVAL AND COMMENTS:

Signature

Date

AWARD FUND MANAGER APPROVAL:

Signature

Date

DISCUSSED WITH EMPLOYEE:

Employee's Signature

Date

INQUIRY EMPLOYEE SUMMARY

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
PHILADELPHIA FEDERAL ARCHIVES AND RECORDS CENTER
PSA SERVICE SECTION Unit A

NT902000
RUN DATE 01/06/25

PAGE NO 1

MURRAY

DARRYL

GS-03/04

C 171-56-5399

LAST PROMOTION /MIS DATE 07/04/99

RATING-PERIOD DATE 00/07/05 THRU 01/06/23

TASK	DESCRIPTION	STND	VOLUME	HOURS WORKED	HOURS OVERTIME	HOURS EARNED	PE
ANLV	LEAVE	.00000	0	276.75	.00	.00	0
BXHM	MAKE BOXES	.01666	60	1.00	.00	.99	100
COPA	CONTINUATION OF PAY	.00000	0	37.00	.00	.00	0
CRED	CREDIT HOURS USED	.00000	0	50.00	.00	.00	0
ESCT	Escorting Agency Personnel	.00000	0	5.00	.00	.00	0
FFFX	TRUST FUND REFILING	.05000	100	6.00	.00	5.00	83
FELX	LOCATING FILES (TERCS)	.09090	45	4.00	.50	4.09	91
FELX	LOCATING FILES (TERCS)	.06666	22	2.00	.00	1.46	73
GFOF	GENERAL REFILES	.05000	64	5.00	.00	3.20	64
GPPB	PROBLEM REFILES-GENERAL	.10000	1260	120.50	5.50	126.00	100
GHUD	HUD REQUESTS	.09090	6	.50	.00	.54	109
GREF	CUSTOMS/FCC REQ	.10000	525	46.00	2.50	52.50	108
GRIE	ADR GRIEVANCE/PROCEEDINGS	.00000	10	1.00	.00	.00	0
GROI	MIXED REQUESTS	.07407	984	66.25	1.50	72.88	108
GROI	GR MIXED REQUEST	.06666	336	29.25	.00	22.39	77
GRSC	SSA INACTIVE COURT CASES	.02500	20	2.00	.00	.50	25
GRSL	SSI REQUEST-LOWER	.03703	22361	776.25	94.25	828.02	95
GRSL	SSI REQUEST-LOWER	.02500	1760	54.25	6.25	44.00	73
GRTC	T-CHECK REQUESTS	.09090	1017	100.75	2.00	92.44	90
GRTC	TELEPHONE/SPECIAL REQUEST	.09259	518	47.00	4.25	47.96	94
GRTC	TELEPHONE/SPECIAL REQUEST	.10000	444	44.50	.00	44.40	100
INFA	INTERFILES	.03846	19	1.00	.00	.73	73
LEAV	LEAVE	.00000	0	4.00	.00	.00	0
MEET	MEETING	.00000	0	14.75	.00	.00	0
ORIE	ORIENTATION	.00000	0	1.50	.00	.00	0
PIMF	CSED PHILADELPHIA IMF	.01000	500	4.00	1.00	5.00	100
PROZ	MARKING SHELVES TREAS. CHECKS	.01660	192	3.00	.00	3.18	106
QCGA	QUALITY AUDIT GENERAL RQ'S	.00000	7	1.00	.00	.00	0
QCGA	REBOX IRS	.08340	1033	100.50	1.25	86.15	85
RELB	REPAIRING DAMAGED BOXES	.00000	486	7.00	.75	.00	0
REPR	REFILE HUD	.06660	52	4.00	.00	3.46	87
RHUD	SPACE MAINTENANCE -NON IRS	.00000	0	148.00	.00	.00	0
SMGN	SPECIAL INTEREST WEEKS	.00000	0	3.50	.00	.00	0
SPIN	SSI CLMS RQ	.07407	735	60.25	4.25	54.44	84
SSAC	QC SSI PE	.05000	6	.50	.00	.30	60
SSWB							
TOTAL HOURS				2028.00	124.00		
STANDARD			32059	1601.75		1499.69	94
NON-STANDARD				550.25			
GRAND-TOTAL			32562	2152.00			

**** END OF REPORT ****



Disposition of Reasonable Accommodation Request

1. REQUESTER'S NAME Darryl Murray	2. ORGANIZATION CODE NRBPC	3. NARA DECISION MAKER David Roland
4. DATE OF REQUEST May 5, 2003	5. REQUEST <input type="radio"/> GRANTED (Complete #'s 6, 7, & 8) <input type="radio"/> DENIED (Complete #'s 6, 7, 9 & 10)	6. DATE REQUEST GRANTED OR <u>DENIED</u> May 12, 2003
7. TYPE(S) OF REASONABLE ACCOMMODATION REQUESTED Return to former position in general records section.		
8. TYPE OF REASONABLE ACCOMMODATION GRANTED N/A		
9. REASON FOR DENIAL: (more than one box may be checked) <input type="radio"/> Accommodation ineffective <input type="radio"/> Accommodation would cause undue hardship <input type="radio"/> Medical documentation inadequate <input checked="" type="radio"/> Accommodation would require removal of an essential function <input checked="" type="radio"/> Accommodation would require lowering of performance or production standard <input type="radio"/> Other (Please identify) _____		

10 on following page.

Darryl WGI
eligibility?

Case 2:05-cv-04557-NS Document 29-1 Filed 01/05/07 Page 19 of 50

10. DETAILED REASON(S) FOR THE DENIAL (Must be specific (e.g., why accommodation is ineffective or causes undue hardship).)

Note: If the individual wishes to request reconsideration of this decision, file an EEO complaint or union grievance, he or she should refer to the procedures outlined in NARA 303, Processing Reasonable Accommodation Requests for Employees and Applicants with Disabilities.

The physical requirements for Mr. Murray's former duties in the General Records Section and his current duties in Trust Fund unit are the same: lift up to 50 lbs considerable standing, walking, stooping, bending and lifting are required. Moreover, the performance standards are the same for both areas. Therefore if Mr. Murray is having difficulty performing duties in the Trust Fund Section, he would have equal difficulty doing so in his former assignment in the General Records Section.

Mr. Murray was assigned to the Trust Fund unit for a business related reason. The labor force in the Trust Fund unit was depleted. We had to backfill with contract labor and a new hire. Consequently, there was a drop in service levels. To provide ready and accurate access of records to the public, we saw a need to have better experienced employees in the unit.

An essential function of Mr. Murray's position is to retrieve and refile records and this requires lifting, walking, bending as described above. The agency has no other vacancy in the Philadelphia Records Center that would be more sedentary that we could offer Mr. Murray.

Inasmuch as Mr. Murray's physician says that he should be performing these duties only 4 hours a day, the agency could offer Mr. Murray a 4-hour work day (part-time position) - if he so makes the request.

Send a copy of completed form to: Requester
-Return completed form to: NEEQ, Diversity Program Manager-



Confirmation of Reasonable Accommodation Request

1. REQUESTOR'S NAME Darryl Murray		2. ORGANIZATION CODE NRBPC	3. REQUESTOR'S TELEPHONE NO. 215-305-2000
4. TODAY'S DATE 5/12/03	5. DATE OF REQUEST 5/5/03	6. NARA OFFICIAL RECEIVING REQUEST Washington/Roland	
7. NARA DECISION MAKER/ORG CODE Roland NRBPC		8. DECISION-MAKER'S TELEPHONE NO. 215-305-2003	
<p>9. ACCOMMODATION REQUESTED (Be as specific as possible, e.g., adaptive equipment, request for an interpreter) See NARA 303, Processing Reasonable Accommodation Requests for Employees and Applicants with Disabilities</p> <p style="text-align: center;"><i>Return to former position in General Records section.</i></p>			
<p>10. REASON FOR REQUEST</p> <p>Provided medical documentation that "excessive walking, climbing stairs, or ladders, and lifting boxes in excess of 40 pounds should be limited to no more than 4 hours per day" because of a disorder called Fibromyalgia, which is a permanent condition."</p>			
<p>11. IF ACCOMMODATION IS TIME-SENSITIVE, PLEASE EXPLAIN</p>			
<p>-Return completed form to: NEEQ, Diversity Program Manager-</p>			



National Archives and Records Administration

MID ATLANTIC REGION

14700 TOWNSEND ROAD
PHILADELPHIA, PENNSYLVANIA 19154-1096
www.nara.gov/regionul

July 21, 2003

Mr. Darryl Murray
National Archives and Records Administration
NARA - Mid Atlantic Region (Northeast Philadelphia)
14700 Townsend Road
Philadelphia, PA 19154-1096

Dear Mr. Murray:

This is to notify you that your overall performance during the appraisal period from October 1, 2002 to June 28, 2003, was not at an acceptable level of competence. Therefore, your within-grade increase (WGI), which was otherwise due on June 29, 2003, will not be granted. In order to attain an acceptable level of competence, you must have an overall rating of at least Fully Successful. An overall rating of Fully Successful is attained when no more than one Critical Element is rated as Minimally Satisfactory and all others are at Fully Successful or higher. Your overall rating is Minimally Satisfactory. Enclosed is your performance appraisal. The following are the reasons why your within-grade increase is being denied.

Critical Element -1

Provides records services

- a) Searches records
- b) Refiles, interfiles, and photocopies records
- c) Accession, relocates and disposes of records
- d) Cleanliness in stack and office area
- e) All productivity and goal are met with an overall productivity rate 90% - 114%

Fully Successful Performance Standard:

Searches, Refiles, Interfiles, shelves records and removes records at 90% - 114% of existing quantitative standards with no more than .3% critical and .5% major errors.

Actual Performance:

You attained a PE score of 87% for this rating period.

Actions Necessary for Improvement:

In order to improve, you should focus your efforts. Rather than following agency procedures, you sometimes make your own procedures which sometimes do not work out. You also sometimes work in a scattered manner, rather than working more methodically by stack area.

You have the right to request reconsideration of this determination. Your request must be in writing and be made within fifteen (15) calendar days. This request must state the reason(s) for requesting reconsideration of the determination and should be addressed to David Roland, Assistant Regional Administrator, NARA- Mid Atlantic Region (Northeast Philadelphia) 14700 Townsend Road,

EXHIBIT

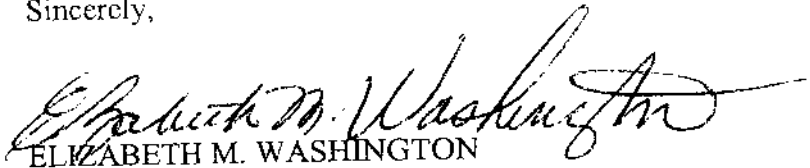
MURRAY - 9
11-22-06

OFFICE OF REGIONAL RECORDS SERVICES

Philadelphia, PA 19154-1096. You may contact Mr. Roland at 215-305-2003, to arrange an appointment in the event you wish to make a personal presentation.

In accordance with the Labor-Management Agreement, you may designate a Union representative to assist you in this manner. If you are otherwise in a duty status, you will be granted a reasonable amount of official time to review the material that forms the basis for the negative determination and to prepare your response. In order to review the material in your case, or to arrange for use of official time to prepare or present your case for reconsideration, you should contact me.

Sincerely,



ELIZABETH M. WASHINGTON
Supervisory Archives Specialist

Enclosure – Performance Appraisal for period October 1, 2002 -- June 28, 2003

Official - NHHR
Reading - NHHR
Info - NHHR (SL), NRBPC
CAWehrkamp:caw:/joanjanshego/07/15/2003
DOC:Murray WGI

Acknowledgement of Receipt

Randy Murray Date *7/21/03*

INQUIRY EMPLOYEE SUMMARY NATIONAL ARCHIVES AND RECORDS ADMINISTRATION TASK SYSTEM PAGE NO 1

PHILADELPHIA FEDERAL ARCHIVES AND RECORDS CENTER NT002000
 PRC RECORD CENTER OPERATIONS STAFF RUN DATE 03/07/03

MURRAY DARRYL GS-03/05 C 171-56-5399 LAST PROMOTION /MIG DATE 07/01/01

RATING-PERIOD DATE 02/10/01 THRU 03/06/28

TASK	DESCRIPTION	STND	VOLUME	HOURS WORKED	HOURS OVERTIME	HOURS EARNED	PE
ADLV	ADMINISTRATIVE LEAVE	.00000	0	8.00	.00	.00	0
AMF	ANDOVER CSED-IMF	.01111	1047	.00	6.00	11.63	194
ANLV	LEAVE	.00000	0	114.75	.00	.00	0
CCLU	CHARGE CODE LOOK UP	.00000	2	.10	.00	.00	0
COMT	CREDIT HOURS USED	.00000	0	.25	.00	.00	0
CRED	CREDIT HOURS USED	.00000	0	1.75	.00	.00	0
FFBX	TRUST FUND BATCHING	.00000	0	1.25	.00	.00	0
FFFX	TRUST FUND REFILING	.05000	2504	147.95	.00	125.20	85
FFLE	INTERNAL TYPING ERRORS	.11111	71	6.00	.00	7.88	131
FFLP	LOCATING PROBLEM FILES (TERCS)	.11111	34	4.05	.00	3.77	93
FFLX	LOCATING FILES (TERCS)	.06666	2088	191.50	.00	139.18	73
GRUD	HUD REQUESTS	.09090	66	5.00	.00	5.99	120
GRSI	SSI INACTIVE REQUEST	.03703	15719	644.80	21.00	582.07	87
GRSL	SSI-REQUEST-LOWER	.02500	293	9.50	.00	7.32	77
GRTC	T-CHECK REQUESTS	.09090	602	57.50	.00	54.72	95
HOLV	HOLIDAY LEAVE	.00000	0	68.00	.00	.00	0
MEET	MEETING	.00000	0	12.00	.00	.00	0
ORIE	ORIENTATION	.00000	0	3.00	.00	.00	0
PBMF	CSED PHILADELPHIA BMF	.06666	5086	.00	47.00	33.87	72
PIMF	CSED PHILADELPHIA IMF	.01000	1900	.00	22.00	19.00	86
PIMF	CSED PHILADELPHIA LADDER	.02000	2020	.00	24.00	40.40	168
PRO2	MARKING SHELVES TREAS. CHECKS	.00000	0	44.85	.00	.00	0
RELB	REBOX IRS	.08340	93	9.50	.00	7.75	82
RFSB	STANDARD BOX-REFILE	.06666	686	49.95	.00	45.72	92
RQSB	STANDARD BOX-REQUEST	.06666	442	30.60	1.00	29.46	93
RQSF	REQUEST-STANDARD FILE	.06666	337	32.10	.00	22.46	70
SKLV	SICK LEAVE	.00000	0	82.50	.00	.00	0
SMGN	SPACE MAINTENANCE -NON IRS	.00000	0	4.75	.00	.00	0
SPIN	SPECIAL INTEREST WEEKS	.00000	0	2.25	.00	.00	0
SSAC	SSI CLMS RQ	.07407	650	50.50	.00	48.14	95
WALK	TRUST FUND WALK IN REQUEST	.14285	67	9.60	.00	9.57	100
	TOTAL HOURS			1592.00	121.00		
	STANDARD		33705	1369.55		1194.20	87
	NON-STANDARD			343.45			
	GRAND-TOTAL		33707	1713.00			

**** E N D O F R E P O R T ****

**NATIONAL ARCHIVES AND RECORDS ADMINISTRATION
PERFORMANCE MANAGEMENT SYSTEM — PERFORMANCE APPRAISAL**
(General Schedule and Prevailing Rate employees)

NAME	SSAN
DARRYL MURRAY	171-56-5399
TITLE, SERIES AND GRADE	OFFICE
ARCHIVES AID, GS-1421-03/05	NRBPC

TYPE OF RATING:

Interim rating because of:

☒ Annual
☐ Interim

☐ Reassignment
☐ Detail

☐ Change in plan
☐ Change in rate
☐ Other _____

ANNUAL RATING PERIOD	INTERIM RATING PERIOD (if applicable)
10/1/2002 to 6/28/2003	to

SUMMARY PERFORMANCE RATING
☐ Outstanding
☐ Highly Successful
☐ Fully Successful
☒ Minimally Satisfactory
☐ Unacceptable
PERFORMANCE AWARD RECOMMENDATION:

Amount \$ _____

WGI DETERMINATION:
WGI will be granted ☐
WGI will be denied ☒
QSI RECOMMENDATION: ☐ Yes ☐ No**RATING OFFICIAL COMMENTS (Optional):**

During this period Mr. Murray is rated minimally successful. His PE for the reporting period is 87.

Signature	Date
<i>E. Baluch M. Washington</i>	7/14/03
REVIEWING OFFICIAL APPROVAL AND COMMENTS:	

Signature	Date
<i>[Signature]</i>	7-21-03

AWARD FUND MANAGER APPROVAL:

Signature	Date
<i>[Signature]</i>	7-21-03

DISCUSSED WITH EMPLOYEE:

Employee's Signature	Date

CRITICAL ELEMENT 1

Provides Record Service: 1. Searches records
2. Refiles, interfiles and photocopies records
3. Accessions, relocations, and dispose of records

APPRAISAL

During this reporting period, Mr. Murray performed his duties minimally successful.
His PE for this rating period is 87.

ELEMENT RATING

☐ O ☐ HS ☐ FS ☒ MS ☐ U

CRITICAL ELEMENT 2

Assists with duties involving referencing, accessioning, relocating and disposing of records. Duties consist of, but not limited to reviewing accessioning, relocation and disposal documentation forms and providing assistance to lower graded employees.

APPRAISAL

Not performed during this reporting period.

ELEMENT RATING

☐ O ☐ HS ☐ FS ☐ MS ☐ U

CRITICAL ELEMENT 3

Task sheet reporting is timely and accurate. All work complete or incomplete is brought back to the appropriate unit.

APPRAISAL

Mr. Murray task sheet and work completion were satisfactory.

ELEMENT RATING

☐ O ☐ HS ☒ FS ☐ MS ☐ U

Page 1 of 2

Memo.

To: Shawn Walker EEOC
National Archives at College Park
8601 Adelphi Road
College Park MD 20740-6001

From: Darryl Murray

Date: Nov 17, 2004

Subject: Security Guard James Hughes
Statement

I would like for EEOC to interview
Mr. James Hughes concerning our perceived
friendship.

Mr. James Hughes and I have know each
other for about 2 years, give or take a
couple of months. We usually chit chat
for about 15-20 minutes a day most
of the time.

I know I have made several veiled
comments or threats about wishing someone
do something drastic to force management
to change the injustices and equality
meetered out to the lower grade GS-3
employees and the clique who brown
noses management daily

Mr. James Hughes has never shown any
outwardly fear of me or my comments.
Neither has he ever warned me to
watch what I say.

I don't believe Mr. Hughes quotes

SH

000126

EXHIBIT

MURRAY-10
11-20-06 R17

Page 2 of 3
Nov 17, 2004

Darryl said, "I here to blow up the place" is accurate.

Darryl said, "When I come back, I'm bringing my people up here, you know what that means" is accurate

Darryl said, When I come back I'm blowing up the place

This is my version of what happened on Sept 22, 2004 at 11:10 a.m.

Around 11:00 I called NARA and spoke to Vanessa Adams receptionist. I asked her to page Skip and have him meet me in the parking lot at lunchtime 11:15 a.m. She confirmed my request.

I was at Grant Ave and Roosevelt Blvd. dropping off my friend for a doctors appt. I had her 3yr old son in the back seat.

Mr. Warren Hammond left a voicemail on my cell phone 3 or 4 days earlier. At 11:05 I decided to blow some time by responding to his message to call him and let him know how I was doing.

I told Mr. Hughes specifically, "I was leaving, I did not come here for trouble"

000127

3 of 3

Nov 17, 2004

Mr Hughes emerged from NARA facility asked me "how I was doing." And instantly reentered the facility.

He reemerged 3 or 4 min. later and said, "Darryl you have to leave, they don't want you on the premises".

I became upset, angry, confused, and felt humiliated.

I told Mr. James Hughes, "I didn't come here for trouble."

I said, "I'm here to see Skip."

I said, "I'm leaving. I not here for any trouble."

But before leaving, as I was pulling off I mumbled to my "clique," "Somebody needs to blow that mother fucker up."

Not even the members of my clique knew what or who I was talking and mumbling about. They could only read my lips and see that I was very upset.

I never threatened Mr James Hughes

I never threatened to blow up NARA

I never read NARA interim guide on violence in the workplace.

I take full responsibility for my confusing comments, remarks, or conceived threats. I apologize.

000128



MID ATLANTIC REGION
14700 TOWNSEND ROAD
PHILADELPHIA, PENNSYLVANIA 19154-0025
www.archives.gov

August 17, 2004

Mr. Darryl Murray
National Archives and Records Administration
Mid Atlantic Region Northeast (Philadelphia)
14700 Townsend Road
Philadelphia, PA 19154

Dear Mr. Murray:

You are currently displaying posters and other written material in your work area that are offensive to coworkers, the security force and management. These include an article entitled "The Governments Assault on the Black Family" and postings such as:

"Who are the real Terrorists? "Osama Totally Exonerated An Innocent Man,"

"This center is a non-equal opportunity employer"

"Worthless losers, nothing ass employees"


This creates a hostile work environment and will not be tolerated.

This is not the first time that you have engaged in this type of behavior. In the past, you have been counseled about scrawling offensive graffiti on a box that was delivered to the Social Security Administration who called the Federal Protective Service to conduct an investigation.

You are ordered to immediately remove (no later than 2:30 p.m. today) all of these materials from your work area and to never display them or anything similar in any work area at the National Archives. To be clear, you are to display no materials that make reference to race, religion, political views or that make disparaging remarks in any way at any location at the National Archives.

If you fail to follow this order, you will be charged with insubordination, which will form the basis for removal from the federal service.

Sincerely,


ELIZABETH M. WASHINGTON
Supervisor, Archives Specialist


cc: J. McEvoy
NHH
file

EXHIBIT

MURRAY-11

11-20-06

OFFICE OF REGIONAL RECORDS SERVICES

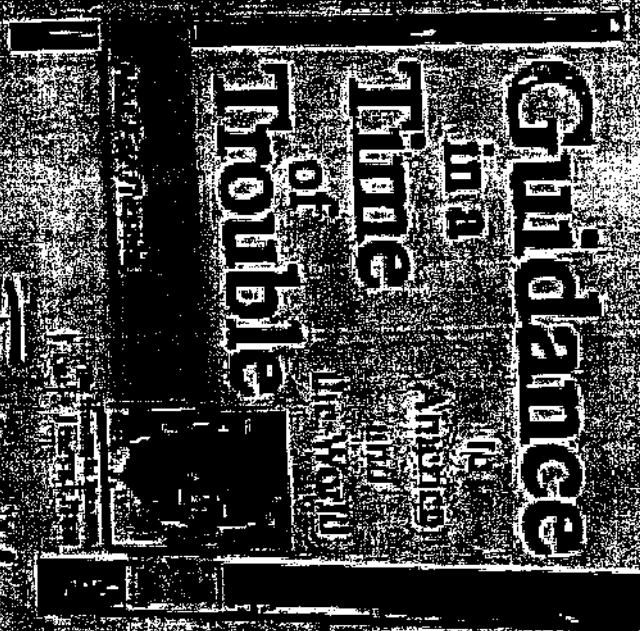
8-17-04


Didn't Do It



Who Are the
Real Terrorists?

Guidance
in a
Time
of
Trouble



Some Totally
Forgotten
And Immortal Man

EXHIBIT

MURRAY -13
11-20-06 K11

Osama Didn't Do It

Wahd
Rea!



ALLAHU AKBAR

Osama
Exoner
And

Low Self Esteem
Inferiority Complex
Inflated Ego
Jealous / Envious
Worthless Losers
No Glimpses Asks Explicit

Testimony of the Plaintiff

The Government's Role in the Health Industry

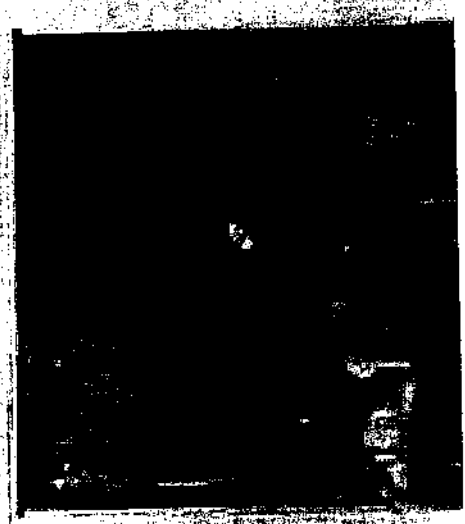
by Plaintiff's Expert

TNA News, Inc. v. [illegible]
Wednesday, 01/05/07

The Government's role in the health industry is a complex one. It involves a wide range of activities, from the regulation of the industry to the provision of health care. The Government's role is often controversial, and it is the subject of much debate. This testimony will discuss the Government's role in the health industry, and will provide evidence to support the Plaintiff's position. The Government's role in the health industry is often controversial, and it is the subject of much debate. This testimony will discuss the Government's role in the health industry, and will provide evidence to support the Plaintiff's position. The Government's role in the health industry is often controversial, and it is the subject of much debate. This testimony will discuss the Government's role in the health industry, and will provide evidence to support the Plaintiff's position.

Federal Record Center IS Not An Equal Opportunity En

Interiority /
Inflated /
Jealous / Envy
Worthless /
Nothings Ass /



ADDITIONAL

REVENUE IS
A DIRT
BEST SERVED
COLD

WOMEN ARE LOSERS
NOTHING AS EMPLOYER

INTER IS NOT AN EQUAL OPPORTUNITY EMPLOYER

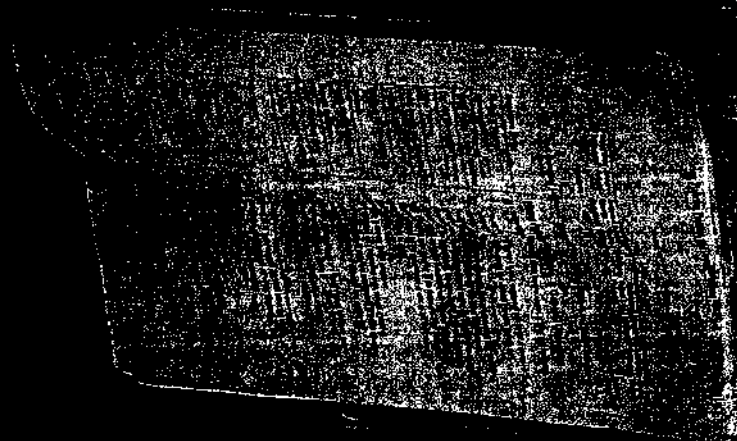
EXHIBIT

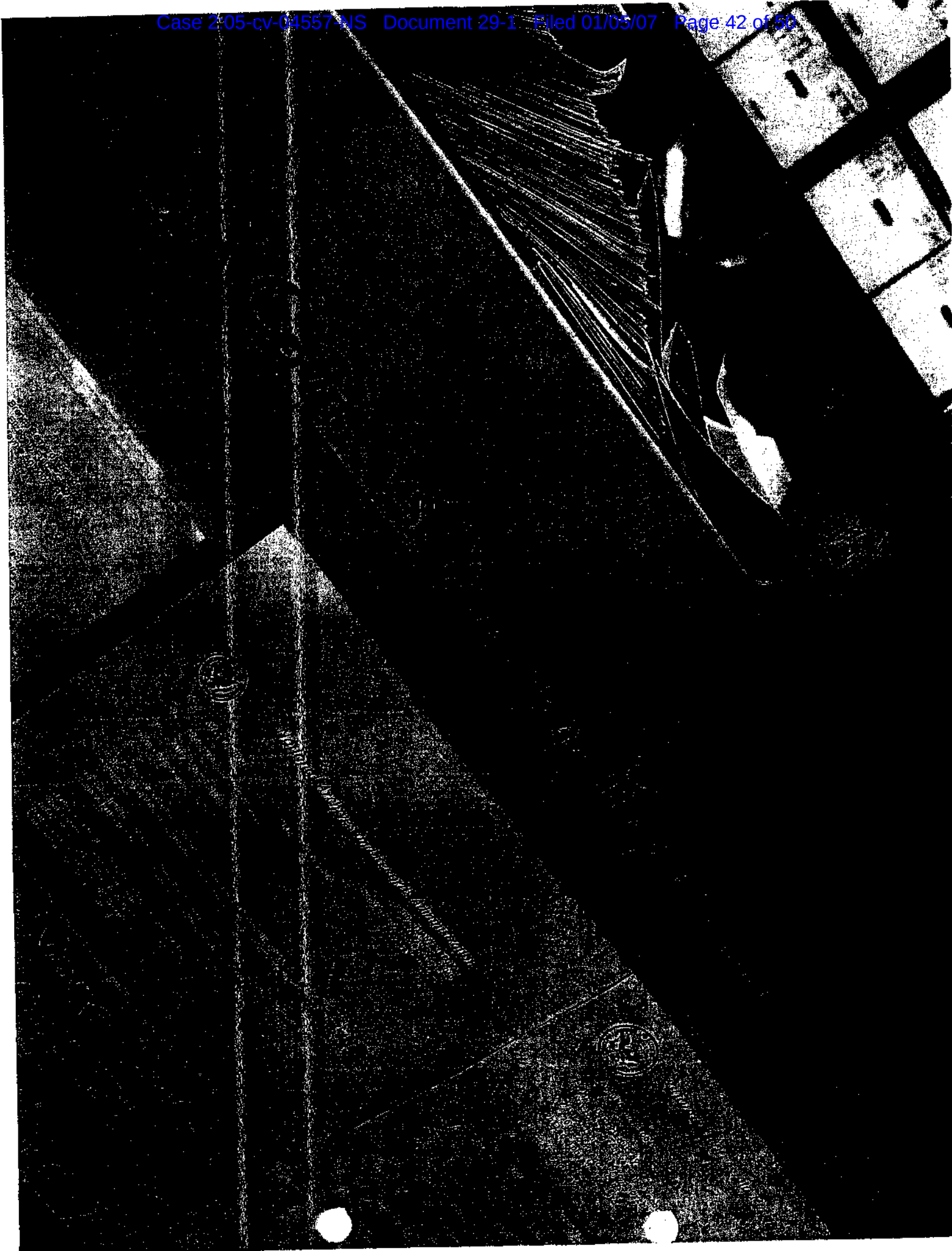
MURRAY-13
11-20-06 P.C.

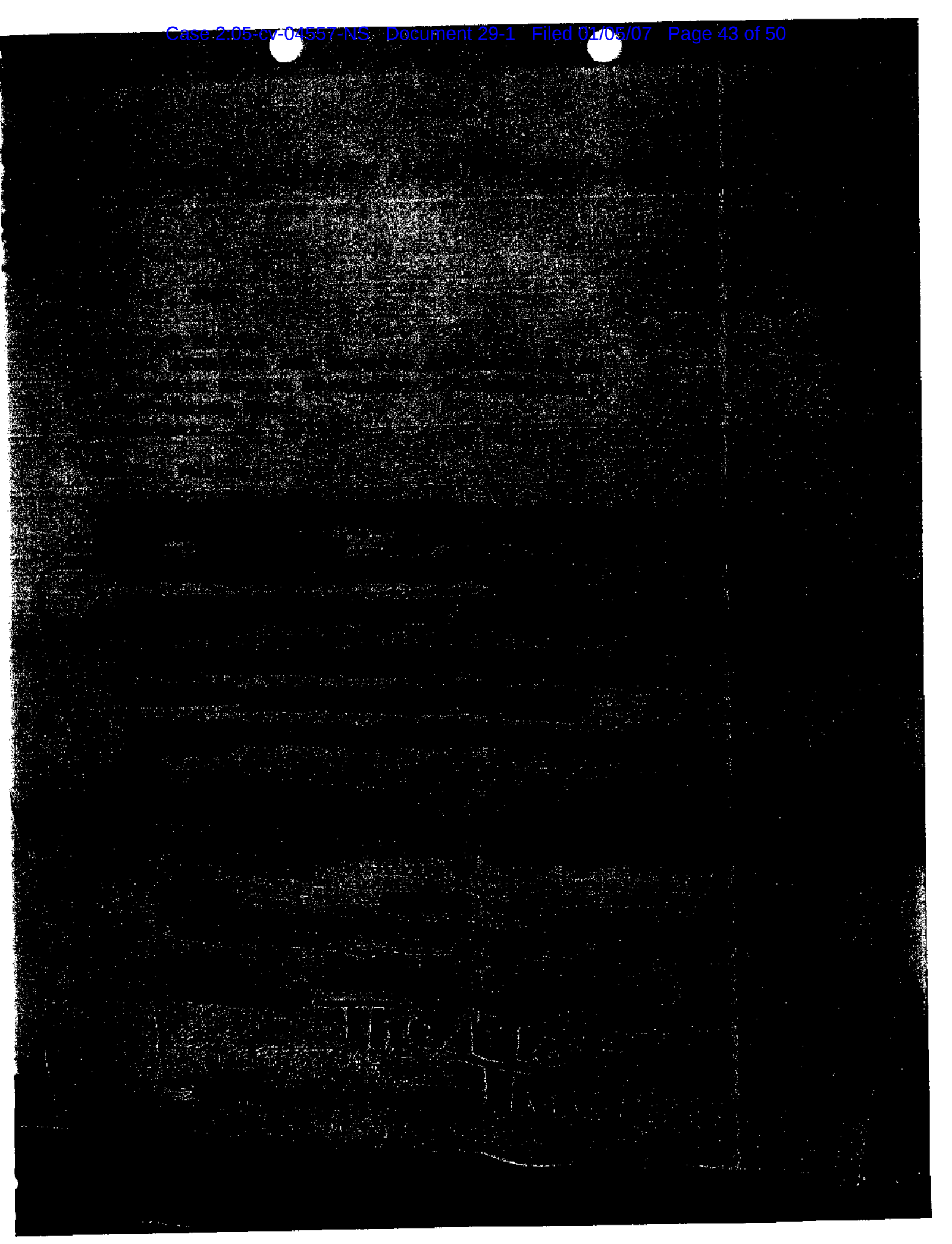
LETTER FROM A MEMBER OF THE NEW YORK

WOLFE ALAN

RECEIVED FOR THE NEW YORK







National Archives and Records Administration

Form 1010-101

Instructions: See back of form.

1. Name of the individual or organization: _____

2. Address: _____

3. City: _____ State: _____ Zip: _____

4. Date: _____

5. Signature: _____

6. Title: _____

7. Organization: _____

8. Purpose of the record: _____

9. Date of creation: _____

10. Date of receipt: _____

11. Date of disposal: _____

12. Date of transfer: _____

13. Date of destruction: _____

14. Date of release: _____

15. Date of review: _____

16. Date of audit: _____

17. Date of inspection: _____

18. Date of evaluation: _____

19. Date of assessment: _____

20. Date of analysis: _____

21. Date of synthesis: _____

22. Date of interpretation: _____

23. Date of application: _____

24. Date of implementation: _____

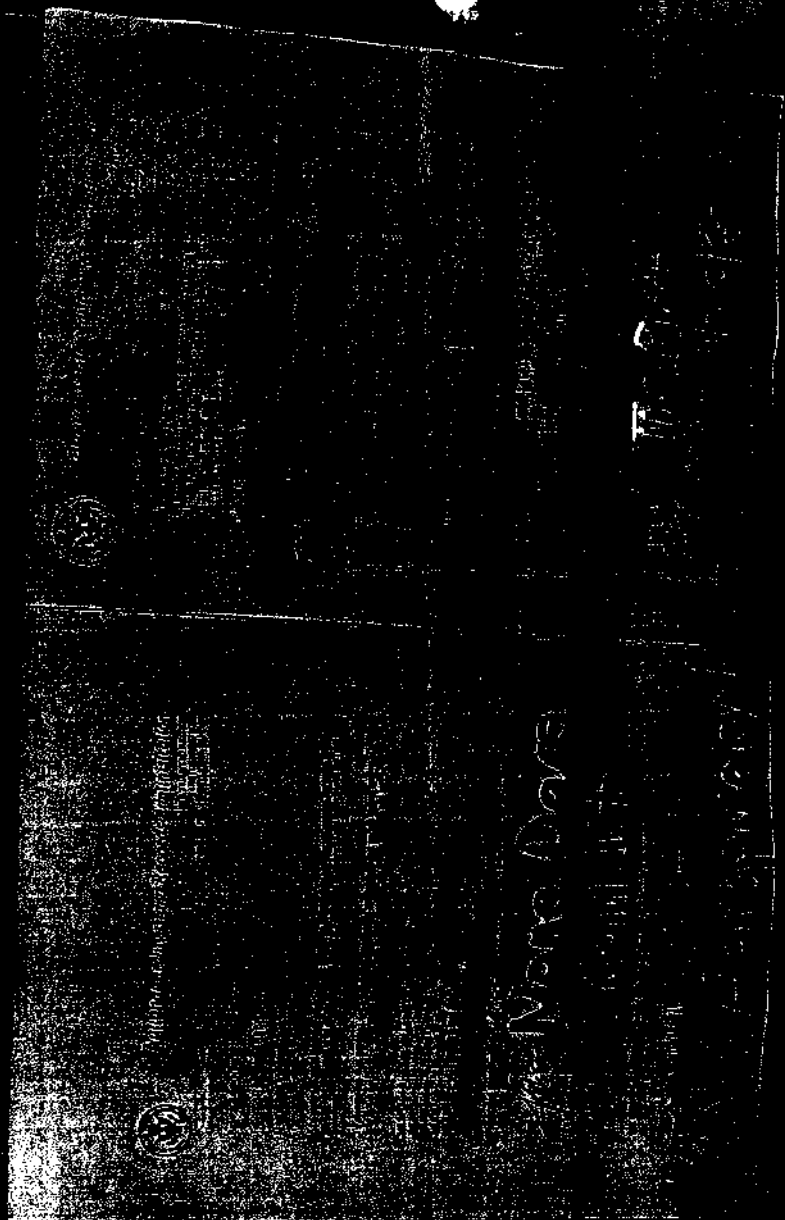
25. Date of completion: _____

None Data

Call DE

2 am

Conspiracy





National Archives and Records Administration

MID ATLANTIC REGION

14700 TOWNSEND ROAD

PHILADELPHIA, PENNSYLVANIA 19151-1525

www.archives.gov

September 16, 2004

Mr. Darryl Murray
112 W. Champlost Avenue
Philadelphia, PA 19120

Dear Mr. Murray:

We are consulting with Human Resources Services Division concerning recent misconduct on your part. You will soon be issued a letter concerning this matter.

In accordance with 5 CFR 752.604(4), you will be on administrative leave until further notice. This means that you will be paid your regular salary under further notice. At this time, you should turn in your NARA personal identification badge and any Federal Government property you have in your possession.

In order to remain in a paid status, you are ordered to call me every Wednesday at 10:00 a.m. If I am not available when you call, you must leave a telephone number where you can be reached and I will return the call provided there is information that needs to be communicated to you.

If you have any questions about this letter, you may contact Joan Janshego, Human Resources Specialist (Employee Relations) at 301-837-1844.

Sincerely,

JOHN MCEVOY

Director, Record Center Operations
Mid Atlantic Region

Darryl Murray

9-16-04
Date

My signature above acknowledges receipt of this letter.

EXHIBIT

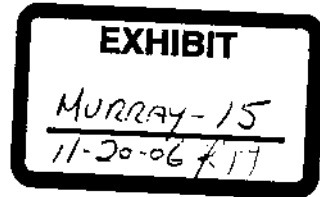
MURRAY-14
11-20-06 FH

ROI000288

Feb 09, 2005

Memo

To: Joyce Saragze
EEOC Counselor
NARA



From: Darryl Murray

Date Feb 08, 2005

Subject: Please interfile this memo in my file.

Aug 17, 2004. Letter from John McEvoy

Received with immediate compliance. Complaint letter listed three alleged offensive comments concerning race, religion, and politics.

I believe the charge of offensive comments is false. There are no racial slurs. No religious insults or politically disparaging remarks about any political party.

I do believe that John McEvoy and Dave Roland are harbouring feelings of animosity and revenge against muslims and the Islamic religion subsequent to terrorist attack on 9-11.

I do believe that it might have been inappropriate to display anything promoting Osama bin Laden's innocence where patriotic caucasian Americans might interpret the wrong way. I believed that the documentary was attempting to exonerate Osama and reflect Islam in a more positive light.

I further believed that postings would stop the harassment and persecution I was experiencing in the workplace.

DATE Feb 9, 2005

Sept 16, 2004 I received another letter from John McEvoy placing me on administrative leave until further notice while Human Resources was consulted concerning some nonspecific instance of misconduct.

I believed the letter was referring to an incident involving a hostile coworker. Knowing I was innocent of any offense against anyone, I signed the letter willingly. I viewed the administrative leave as being a short vacation with pay. I expected to be called back to work in 2-3 weeks at most.

I did not know that John McEvoy was accusing me of making terroristic threats against him and assistant regional Director Dave Poland. Based upon a picture of the "Predator" figure from the movie Predator vs Alien. This movie was ~~scheduled~~/scheduled to be released Aug 26, 2004. I had no reason to believe that the picture would brand me as a terrorist.

Sept 22, 2004 Responding to a 3-day old voicemail on my cell phone from my coworker and team partner Warren Hammonella, I.R.A. Skip. I stopped pass my job and waited in the parking lot for Skip to come out for his lunch break at 11:10. I phoned the job about 10 minutes before arriving to make sure Skip was at work. I only made two direct statements to the security guard.

Statement #1 "I am here to see Skip."
Statement #2 "I phont come here to cause trouble, I dont want you to get in trouble"

I stated to my friendly co-workers that I was going to bring Johnnie Cochran and the dream team to NARA to fight and expose racism and discrimination.

My co-workers just shook their heads and we smiled and laughed.

I was not looking at or speaking to the guard when I commented "Somebody needs to blow that M-F-- up."

I never said the words building or place.

I never said, "I'm here to blow up the place."

I never said, "When I come back I'm blowing up the building."

Security guard James Hughes is exaggerating or outright being untruthful. I do not know what is motive is for being untruthful.

I was angry at being thrown off the property, but I would never threaten to blow up a building after 9-11. It is for this reason that I apologize for losing my temper and using the words "blow up" in the same sentence with curse words.

Security guard James Hughes even admits in his affidavit that he told me to "watch what I say in his presence." He knew that I was not threatening him or the building. He did not want to report our conversation but he also did not want to get himself in trouble.